



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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LUCIO CELLI,

Plaintiff,

- against -

NEW YORK CITY, ET AL.,

Defendants.  
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24-CV-9743 (JPC) (RWL)

**ORDER**

**ROBERT W. LEHRBURGER, United States Magistrate Judge.**

Plaintiff Lucio Celli has filed a motion for Judge Seibel, Judge Engelmayer, and Judge Rearden to recuse themselves from this case. (See Dkt. 6.) This case was reassigned for administrative reasons from Judge Seibel to Judge Cronan on January 10, 2025. Judge Seibel no longer has any involvement in this case. Neither Judge Engelmayer nor Judge Rearden is assigned to this case. As none of the Judges that are subject of the motion are assigned to this case, the motion is frivolous.

The motion also is frivolous on the merits. Plaintiff asserts that recusal is warranted because the judges have “political relationships with United States Senators Charles Schumer and Kirsten Gillibrand.” (Dkt. 6 at 1.) United States Senators are involved in the appointment of all United States District Court Judges. This case implicates neither Senator Schumer or Senator Gillibrand, let alone in any way that would warrant recusal. Accordingly, there is no ground by which the Judges’ impartiality in this case might reasonably be questioned. See 28 U.S.C. § 455 (a) and (b)(1); *United States v. Yousef*,

327 F.3d 56, 169 (2d Cir. 2003) (explaining that standard under § 455 (a) is an objective one).

Plaintiff again is warned that he is not to file frivolous and vexatious requests or documents, and that failure to comply may result in sanctions, including monetary sanctions and/or other sanctions, including dismissal of the case with prejudice.

The Clerk of Court is respectfully directed to terminate the motion at Dkt. 6.

SO ORDERED.



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ROBERT W. LEHRBURGER  
UNITED STATES MAGISTRATE JUDGE

Dated: February 25, 2025  
New York, New York

Copies transmitted this date to all counsel of record. The Clerk of Court is directed to mail a copy of this order to Plaintiff and note service on the docket.